



PTO/SB/21 (08-03)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/705,448
	Filing Date	November 11, 2003
	First Named Inventor	Joseph L. WITZTUM
	Art Unit	unknown
	Examiner Name	unknown
Total Number of Pages in This Submission	Attorney Docket Number	6627-P0045C

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): PTO/SB08A and PTO/SB08B (2) 16 Cited References Return Postcard
<b>Remarks</b>  		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Colleen McKiernan
Signature	
Date	March 26, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name		Cindy Guido	
Signature		Date	March 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of )  
Joseph L WITZTUM ) FOR: METHODS FOR DIAGNOSING,  
Serial No.: 10/705,448 ) IMAGING AND TREATING  
Filed: November 11, 2003 ) ATHEROSCLEROTIC DISEASE  
Group  
Art Unit: unknown

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1451  
Alexandria, VA 22313-1450

Attention: Examiner

Dear Sir:

Applicants submit herewith references of which they are aware, which they believe may be material to patentability of the invention disclosed and claimed in the above-cited application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: P.O. Box 1450 Alexandria VA 22313-1450:

March 26, 2004  
(Mailing Date)

Cindy Guido

(Typed Name)

(Signature)

March 26, 2004  
(Date of Signature)

Applicants are submitting herewith copies of the references which are set forth on the attached Form PTO/SB/08A. As all relevant parts of the references are in the English language, no explanation of the references is provided herein.

This Information Disclosure Statement is submitted within three (3) months of the filing date of the above-cited application or of the date of entry into the national phase of the application or prior to the mailing date of a first Office Action thereon, whichever has occurred last, such that no fee is required.

Further, while the references provided in this Information Disclosure Statement may be material to patentability pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such.

Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Respectfully submitted,

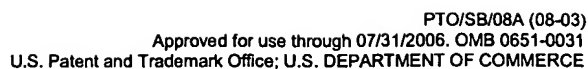
Dated: 3/26/04

By:   
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Docket No.: 6627-P0045C



Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/705,448
Filing Date	11/11/2003
First Named Inventor	WITZTUM et al
Art Unit	unknown
Examiner Name	unknown
Attorney Docket Number	6627-P0045C

Sheet	1	of	3
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## U. S. PATENT DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet

2

of

3

Application Number

10/705,448

Filing Date

11/11/2003

First Named Inventor

WITZTUM et al

Art Unit

unknown

Examiner Name

unknown

Attorney Docket Number

6627-P0045C

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	6	Hoorko S. Miller, E. Dudl E. et al Antiphospholipid antibodies are directed against epitopes of oxidized phospholipids: recognition of cardiolipin by monoclonal antibodies to epitopes of oxidized LDL. J. Clin. Invest.; 1996;98: 815-825	
	7	Huse WD, Sastry L, Iverson SA, Klang AS, Alting-Mees M, Burton DR, Benkovic SJ, Lerner RA. Generation of a large combinatorial library of immunoglobulin repertoire in phage lambda. Science . 1989;246:1275-1281	
	8	Palinski W, Horkko, S. Miller et al. Cloning of monoclonal autoantibodies to epitopes of oxidized lipoproteins for apo E-deficient mice. Demonstration of epitopes of oxidized LDL in human plasma. J. Clin. Invest 1996;98:800-814	
	9	Shaw P.X, Horkko, S. Chang, M-K Curtiss, L.K. Palinski, W. Silverman, G.J. and Witztum, J.L. Natural antibodies with T15 idiotype may act in atherosclerosis, apoptotic clearance and protective immunity. J. Clin. Invest. 105:1731-40, 2000	
	10	Wu CC, Chang SW, Chen MS, Lee YT. Early change of vascular permeability in hypercholesterolemic rabbits. Arterioscler Thromb Vasc Biol. 1995, 15-529-533	
	11	Libby P. et al. Stabilizing of atherosclerotic plaques: New mechanisms and clinical targets. Nature Medicine. Vol 8, No. 11, 1257-1262-Nov. 2002	
	12	Narula, J. et al. Strategic targeting of atherosclerotic lesions. Journal of Nuclear Cardiology, Part 1, pp. 81-90 Jan./Feb 1999	
	13	Strauss, H.W. Imaging of atherosclerosis-A worthy challenge. Journal of Nuclear Cardiology, Vol 3, No 3, pp.278-280 May/June 1996	
	14	Tsimikas, S. et al. In vivo uptake of Radiolabeled MDA2, an oxidation-specific monoclonal antibody provides an accurate measure. Arterioscler Thromb, Vasc. Biol., Vol 20:689-697.2006	
	15	Holovet, P. et al, Monodialdehyde-modified low density lipoproteins in patients with atherosclerotic disease. J. Clin Invest. Vol 95:2611-9. 1995	

Examiner  
Signature

Date

Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 3 of 3

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	16	Tsimikas S. Palinski W, Halpern SE, Yeung DW, Curtiss LK, Witztum JL. Radiolabeled MDA2, an oxidation-specific Mab, identifies native atherosclerotic lesions in vivo. J. Nucl Cardiol. 1999; 6:41-53	

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